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DIGEST OF OTHER RECENT VIRGINIA DECISIONS.**Supreme Court of Appeals.**

Note.—In this department we give the syllabus of every case decided by the Virginia Supreme Court of Appeals, except of such cases as are reported in full.

CLINCHFIELD COAL COMPANY, et als. v. VIERS.

(September 15, 1910.)

Boundaries—Establishment—Weight of Evidence.—Where it appears that the citizens on both sides of a boundary line for a great length of time have recognized it as the true line by which their titles were to be determined, it will take very cogent proof to establish a claim that another is the true line, especially where such location, if established, would unsettle numerous titles and almost certainly precipitate much litigation. 2 Va.-W. Va. Enc. Dig. 609.

Adverse Possession—Elements—Intention.—When the occupation of the land is by a mere mistake, and with no intention on the part of the occupant to claim as his own land which does not belong to him, but intends to claim only to the true line, wherever it may be, the holding is not adverse, the intention to hold adversely being an indispensable element of adverse possession. 1 Va.-W. Va. Enc. Dig. 205; 14 Va.-W. Va. Enc. Dig. 21.

Appeal from Circuit Court of Dickenson County. Reversed.

Phlegar & Powell, Ayers & Fulton, W. H. Rouse. Vicars & Peery, A. A. Skeen, for appellants.

Roland E. Chase, S. H. Sutherland, for appellee.

STONEGA COKE & COAL COMPANY v. NEECE.

(September 15, 1910.)

Negligence—Burden of Proof.—Where damages are claimed for injuries inflicted through the alleged negligence of the defendant, the burden of showing negligence by a preponderance of the evidence is on the plaintiff, and if the injury may have resulted from one or two causes, for one of which the defendant is responsible but not for the other, the plaintiff cannot recover; neither can he recover if it is just as probable that the damage was caused by the one as by the other. 10 Va.-W. Va., Enc. Dig. 411.

Error to Circuit Court of Wise County. Reversed.

Bullitt & Chalkley, for plaintiff in error.

Vicers & Peery, Morton & Parker, for defendant in error.